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SUMMARY RECORD OF THE 8th MEETING

Chairman: Mr. CISSE (Senegal)

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The meeting was called to order at 3.15 p.m.

AGENDA ITEM 93: ELIMINATION OF RACISM AND RACIAL DISCRIMINATION (continued) (A/49/18, A/49/287-S/1994/894, A/49/403, 404, 464, 499)

AGENDA ITEM 94: RIGHTS OF PEOPLES TO SELF-DETERMINATION (continued) (A/49/271, A/49/287-S/1994/894, A/49/312, 331, 362, 381, 402)

1. Mr. ZOUBI (Jordan), speaking on item 94, said that the state of war between Jordan and Israel had ended with the signature of the Washington Declaration in July 1994. Further agreements were still needed, however, to achieve a comprehensive and lasting peace in the Middle East that would pave the way for regional cooperation. Jordan welcomed the developments in the Palestinian-Israeli situation, culminating in the Agreement on the Gaza Strip and the Jericho Area, which laid the foundations for discussion of the critical final-status issues of Jerusalem, Israeli settlements, refugees, self-determination and sovereignty. Referring to the responsibilities which the Palestinian Liberation Organization now shouldered in building an autonomous nation, he concluded by saying that the presence of Palestinian institutions on Palestinian territory was a move towards the legitimate goal of self-determination.

2. Mr. SLABY (Czech Republic) said that the protection of national, ethnic, religious and cultural minorities became a concrete problem whenever those minorities were subjected to discrimination or oppression. In his country, manifestations of racism, fascism and xenophobia had intensified since the fall of communism, even though the acts of violence involved were difficult to qualify as clear acts of racial discrimination. National minorities enjoyed equal conditions for self-realization, since none received favoured access to education or employment other than through the concession whereby education in their respective mother tongues was financed and guaranteed by the State. In the absence of any official language, minority languages other than Romany, whose codified version the Romanies had not yet accepted, enjoyed equal status with the Czech language. While Romanies were often the butt of discrimination, affirmative action was being taken to help further their position in society. Measures were also being introduced to counter the intimidation of minorities and the advocacy of racism and xenophobia; racial violence, for instance, was punishable by law. In addition, various civic associations and non-governmental organizations focused on the defence of human rights and opposition to all forms of racism, nationalism, xenophobia and intolerance.

3. In the wider context, praiseworthy though the victory over apartheid was, the various forms of racism which persisted throughout the world could not be ignored. His country therefore welcomed the appointment of a Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. In that connection, the United Nations should do its utmost to ensure that the perpetrators of genocide in Rwanda and of "ethnic cleansing" in the former Yugoslavia were brought to justice.

4. His country respected the right of nations to self-determination as a fundamental principle of international law embodied in the Charter. Nations could exercise the right to decide freely their social and cultural development through the introduction of democracy and the rule of law. To that end, the development and strengthening of democratic mechanisms and the regular holding of free elections assumed paramount importance. Although the right to self-determination was plainly evident during the struggle against colonialism, its application in relation to established national or multinational States was less so. In his view, the main objective of exercising that right was to create conditions for the free and overall political, economic, social and cultural development of nations. Once those conditions obtained, however, any efforts at separation should also be considered in the context of territorial integrity. He added that the varying interpretations of the "nation" concept produced complex problems, particularly in communities which were not organized along European lines.

5. Mr. NASSIROV (Azerbaijan), after declaring self-determination to be a basic human right and a fundamental principle of international law, affirmed its paramount importance to Azerbaijan, where independence had been restored through the exercise of that right and where equality between all citizens, regardless of their ethnic, religious or linguistic background, was guaranteed by law. The will and destiny of those citizens were also expressed through participation in representative democracy. As a multi-ethnic, multilingual and multireligious State, Azerbaijan was committed to the principle of "unity in diversity". It was also convinced that the guiding principles of every democratic society, viz. equality, rule of law, the observance of human rights, freedom of choice and tolerance, were applicable to international relations, which should be based on respect for the sovereignty, equality and territorial integrity of States, as well as on non-interference in their internal affairs and peaceful coexistence.

6. Finding a harmonious solution to the problem of balancing the right to self-determination and the principle of the territorial integrity of States posed an extremely difficult problem. The effective exercise of that right should not entail any action which infringed upon the territorial integrity, national unity or ethnic harmony of an independent State. On the contrary, it should strengthen national independence, sovereignty and territorial integrity in States where the Governments represented the entire population without distinction. However, the belief that it might also strengthen peace and stability had been eroded in the light of various explosive situations and ethnic tensions, which would be diminished only by strengthening the fundamental principles of international relations enshrined in the Charter and by instituting a democratic political system in which all citizens, including minorities, participated. Aggressive nationalism, religious and political extremism, terrorism and separatism posed a growing threat to security and stability, as indicated by the tendency to misinterpret the right to self-determination as the right of any ethnic community to create its own State. Self-determination was sometimes used with pernicious effect to justify territorial expansion under the pretext of protecting ethnic groups in other States. A glaring example was the use of that principle to cover military aggression against an independent State aimed at annexing its territory.

7. Referring to the conflict in the Nagorny Karabakh region of Azerbaijan, allegedly caused by the strife for self-determination by the Armenian community, he said that the facts did not bear out the recent statement by the Republic of Armenia that it had no territorial claims to Azerbaijan; its army occupied both that region and other much larger territories, where aggression and "ethnic cleansing" had uprooted huge numbers of people. In short, although the Armenian community had always enjoyed wide political, economic and cultural autonomy in Azerbaijan, Armenia was perpetuating the cynical myth of conflict between that community in Nagorny Karabakh and the Azerbaijani Government with a view to justifying the de jure annexation of Azerbaijani territory. He was confident, however, that the international community would not be deceived by statements of commitment to the principles of the Charter. Events in Azerbaijan should serve as an example that bloody conflicts might be avoided if each claim to the exercise of self-determination were treated with circumspection, the aim being to ensure that the distinction between self-determination and aggression was retained.

8. Mr. BOUCHMARINOV (Russian Federation) said that, in implementing the right to self-determination, the economic, social and cultural development of some should not lead to discrimination against others and that the granting of rights to one population group should not entail the disenfranchisement of another. Unfortunately, that was the situation of Russians living in some of the newly independent States. Such a situation was intolerable because the highest goal of the right of peoples to self-determination was the complete implementation of the rights of each individual on the basis of equality and without any discrimination. Self-determination should therefore be viewed in a broader context, closely linked with other questions relating to the implementation of the rights and freedoms of individuals, including the rights of minorities.

9. The desire to equate the right to self-determination with separatism was another disquieting trend. It was particularly indicative that the slogan of self-determination was increasingly being used by political elites and clans in order to seize and maintain power. In practice, that often led to the establishment of dictatorships and was accompanied by bloodshed and violations of the rights of individuals.

10. The international community must find new approaches to implementing the right to self-determination and establish criteria to guide that multi-faceted and contradictory process. Such criteria should include a clear definition of the relationship between the right to self-determination and the principle of maintaining peace and security at the national, regional and international levels; prevention of terrorism carried out under the pretext of self-determination; the inadmissibility of any acts that violated or undermined the territorial integrity of independent democratic States; consideration of the link between self-determination and the observance of other human rights and freedoms; strict observance of the principle of non-discrimination, particularly with regard to the representatives of minorities; and unconditional application of basic humanitarian standards in situations of domestic tension, armed conflict and states of emergency.

11. The main criterion for evaluating self-determination was the extent to which the implementation of that right promoted the protection of human rights, and the stability and welfare of society. Those criteria should serve as the basis for action by individual States as well as the international community as a whole and should be reflected in a corresponding United Nations instrument, the adoption of which was called for by present-day realities.

12. Mrs. FRITSCHE (Liechtenstein) affirmed the success of the United Nations in the field of self-determination, a principle which was rooted in the democratic concepts and respect for human beings on which most political systems were founded. Having proved instrumental to the process of decolonization, the principle of self-determination was nevertheless relevant in other circumstances, such as when certain groups were denied their aspirations and identity. Such groups were compelled by frustration to engage in armed struggle for secession.

13. Her country had therefore forwarded its proposals of recent years in the conviction that the principle of self-determination had important new relevance and should be fashioned into a forward-looking tool that would help the international community to tackle the tragedies that were frequently unfolding around the globe. The proposed initiative was designed to offer ways for the reasonable expression of plausible aspirations of that nature through free options ranging from limited and basic self-administration to virtual internal self-government. It also envisaged a mechanism aimed at defusing and resolving disputes. Although not a panacea, it would, she believed, contribute towards the social development of the international community and to the maintenance of international peace and security. With a view to pursuing the subject in an academic framework before it was further debated by the Committee, her Government had provided a grant for the establishment of a research programme on self-determination as its contribution to the commemoration of the Fiftieth Anniversary of the United Nations.

14. Mr. YASSIN (Sudan) said that the triumph of the people and the Government of South Africa over apartheid represented a shining moment in the history of the struggle against racism, and he further commended that Government for its policy of reconciliation. Nevertheless, racial discrimination was still prevalent in some regions of the world. His country was outraged by the acts of violence committed against foreigners and migrants in parts of Europe. It was also deeply concerned by the plight of Muslim minorities, who were discriminated against on religious grounds and who sometimes fell victims to racial violence.

15. His country condemned the ongoing genocide of the unarmed Muslim peoples of Bosnia and Herzegovina and appealed to the international community to stop it. It deplored the plight of migrant workers and refugees, especially women and children, who were often mistreated, and looked forward to seeing an international covenant that would guarantee their fundamental rights.

16. The right of peoples to self-determination, i.e., the right of independent peoples freely to choose their political, economic and social systems, remained valid. However, most countries were composed of distinct ethnic, linguistic,

religious and cultural minorities, and it was necessary to balance respect for the rights of minorities and preservation of national unity and territorial integrity.

17. Miss FONSECA (Venezuela) said that her country had consistently supported the United Nations in its work to eradicate racism. The historic events in South Africa had proved that the efforts of the international community could be effective, and it should continue to lend its support to that country. Firmness and determination were also required with respect to Bosnia and Herzegovina and to Rwanda. In general, racially motivated crimes must not go unpunished, and a step in that direction would be to establish an international tribunal to prosecute those accused of violations of international humanitarian law.

18. Her delegation welcomed the consensus reflected in the Vienna Declaration and strongly supported the Commission on Human Rights resolution on measures to combat contemporary forms of racism. She hoped that the report of the Special Rapporteur on that question would be made available during the current session of the General Assembly.

19. Successful completion of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination would require determined action on the part of Governments as well as the strengthening of United Nations bodies. It was imperative to teach the principles of non-discrimination and tolerance - the cornerstones of social harmony - and measures in that area should be implemented at both the national and international levels.

20. In conclusion, she reiterated her country's support for the principle of the right of peoples to self-determination and for United Nations efforts in that field. She welcomed the recent agreements concluded in the Middle East, which she hoped would lead to a just and lasting peace in that region.

21. Mr. TURAY (Sierra Leone) hoped that the peaceful elimination of apartheid in South Africa would rekindle the international community's sense of purpose in combating racial discrimination. His delegation welcomed the Security Council decisions establishing the Commission of Experts for Rwanda and the International Criminal Tribunal for the Former Yugoslavia with a view to prosecuting persons responsible for serious violations of international humanitarian law in those countries. Given the importance of the task of the Special Rapporteur on contemporary forms of racism, it was imperative for the international community to facilitate the Special Rapporteur's work and for the Secretariat to provide the necessary resources.

22. His country intended to ratify as soon as possible all human rights instruments to which it was not yet a party, and believed that the elimination of racial discrimination should continue to be an important item on the Assembly's agenda. It supported the true essence of the rights of peoples to self-determination, sovereignty and territorial integrity.

23. Mr. SACIRBEY (Bosnia and Herzegovina) said that the Security Council had been right not to lift the sanctions against South Africa until all requirements

had been met. It was now necessary to strengthen the democratic trend in that country by stimulating its development.

24. In view of the above, it was incomprehensible to his Government that the Security Council had decided to relax the sanctions on the former Yugoslav republics of Serbia and Montenegro, which continued to disregard basic Security Council decisions. The 1993 report of the Committee on the Elimination of Racial Discrimination (A/48/18) had reaffirmed the existence of links between that country and Serbian militias and paramilitary groups responsible for massive violations of human rights in his country and in Serb-controlled Croatian territories, and a recent note verbale from the Secretary-General (S/1994/5/Add.70) indicated that violations of the Bosnian border with Serbia might still be routine. The Belgrade regime continued to defy many other Security Council resolutions, as in the case of its failure to cooperate with the International Criminal Tribunal for the Former Yugoslavia.

25. The same regime regularly violated the human rights of minority populations within its own borders: the ethnic Albanian population of Kosovo, the Muslim population of Sanjak and the ethnic Croat and Hungarian populations of Vojvodina. Furthermore, it had not met its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination. He wished to make clear that his delegation's initiative to bar Belgrade's representatives from the Fifteenth Meeting of States Parties to the Convention was motivated by legal, not political, considerations. All successor States to the former Yugoslavia were required to take formal steps to succeed to the Convention, and the Federal Republic of Yugoslavia had not.

26. He condemned the Security Council's failure to follow through on its commitments to halt "ethnic cleansing". Despite a joint communiqué (S/1994/835) by the Special Representative of the Secretary-General and the Vice-President of his country urging the deployment of the United Nations Protection Force in Banja Luka, no action had been taken. Moreover, it was highly regrettable that the contact group countries (France, Germany, the Russian Federation, the United Kingdom and the United States) had failed to fulfil their stated commitments to take action against Karadzic's forces if they rejected the group's peace plan, the enforcement of which should be the immediate objective of the international community. Allowing ultra-nationalism to thrive in the Balkans encouraged racist ideologies to flourish elsewhere: in Eastern and Western Europe, in the Russian Federation and in Rwanda.

27. The contact group countries should also ensure that constitutional arrangements were geared towards integrating his country, rather than enshrining segregation. If adequately financed and free from the political influence of those who supported peace at any price, the International Criminal Tribunal would promote reconciliation, and he thanked those who had laboured to finance the Tribunal and to collect evidence.

28. In order to further the process of reconciliation, his Government had invited the High Commissioner for Human Rights to visit its territory. It was pleased to see the commitment which the United Nations Educational, Scientific

and Cultural Organization had shown in leading the 1995 United Nations Year for Tolerance and welcomed the efforts of that and other organizations to promote multi-party societies, which he hoped might one day help to encourage greater tolerance in his country. There were many other means by which the international community could promote education - and thus tolerance - in his country, some of which were already being implemented. At the current session, his delegation would once again introduce a draft resolution on the situation there, which he hoped would garner even greater support than at the previous two sessions. It was time for the international community to break its silence on that tragedy.

29. Mrs. LEGWAILA (Botswana) emphasized that the laudable victory over apartheid did not imply the defeat of racism, as the struggle for racial and human equality was far from over. The fight against institutionalized versions of racism should be pursued. Civil war and ethnic strife were leading to disintegration in many areas of the world, most notably in the multi-ethnic nations. In some instances, national fragmentation and economic dislocation had been further encouraged by religious extremism. She urged the Palestinian and Israeli peoples to prevail in the struggle for peace in the Middle East and hoped that the people of Western Sahara would soon enjoy fulfilment of the right to self-determination. She concluded by condemning the presence and activities of mercenaries world wide.

30. Mr. KULLA (Albania) said that in the Balkans the realization of the right to self-determination could be achieved only through the establishment of democracy and full respect for human rights. It was from that perspective that Albania wished to create a democratic space including all areas where Albanians lived as the best way of solving the Albanian question. "Ethnic cleansing" had resulted in the denial of the most fundamental human right, the right to life. Acceptance of that phenomenon would set a very dangerous precedent for the future of the people of the region.

31. The tragic events in the former Yugoslavia clearly demonstrated that military aggression and foreign occupation remained the greatest threat to international peace and stability. In 1989, aggressive Serbian nationalists had begun, in Kosova, their efforts to dominate the peoples of the former Yugoslav federation. The first step had been to abolish autonomy and declare a state of siege in Kosova, where military repression and the imprisonment and killing of Albanians had become a part of everyday life. In September 1991, the Albanian people in Kosova had voted in favour of independence in a referendum. One year later, they had elected their representatives through multi-party elections. Nevertheless, neither the referendum nor the elections had been recognized by the Serbian authorities, who had intensified their repression of the ethnic Albanians in that area.

32. Although the peaceful policy of the legitimate Albanian leaders in Kosova had made it possible to avoid bloodshed, the refusal by the Belgrade authorities to engage in dialogue with the representatives of the Albanians was alarming. Unless the question of Kosova was resolved on the basis of respect for the will of its people, there could be no peace in the region. Accordingly, his country

called for the resumption of dialogue through mediation between the Belgrade authorities and the legitimate Albanian institutions in Kosova.

33. Lastly, his Government rejected as totally false the allegations by the Belgrade authorities concerning the training of Albanians from Kosova in so-called "special camps" in Albania. In fact, Serbia was building training camps for terrorist bands, which it used against other peoples in the territory of the former Yugoslavia. Those bands, trained in Serbia, had already participated in "ethnic cleansing" in Bosnia and Herzegovina, Kosova and elsewhere. Their leaders must be tried by the International Criminal Tribunal for the Former Yugoslavia and punished for crimes against humanity.

34. Mr. REZVANI (Islamic Republic of Iran) said that his country strongly supported the principle of equality and tolerance as well as full implementation of the Programme of Action for the Third Decade to Combat Racism and Racial Discrimination, and joined in the call for universal accession to the International Convention on the Elimination of All Forms of Racial Discrimination, which was crucial for fostering equality and respect for human dignity. Inspired by the Holy Koran, his country, which believed that all human beings were born equal and had inherent natural rights and responsibilities, unequivocally condemned all forms of racism.

35. Unfortunately, the "ethnic cleansing" in Bosnia and Herzegovina and the spread of xenophobia, intolerance and violence against immigrant workers in some European countries had continued to increase. Surprisingly, the Security Council had deemed it necessary to address the needs of the aggressors in Bosnia and Herzegovina as if its objective was to strike a balance between the aggressors and victims, rather than uphold justice. The international community and the over one billion Muslims throughout the world could no longer stand idly by and witness the atrocities committed by the Bosnian Serbs. The "ethnic cleansing" must be halted immediately and the perpetrators brought to justice. The illegal arms embargo against Bosnia and Herzegovina must be lifted and that country's Government must be allowed to exercise its right to self-defence under Article 51 of the Charter.

36. The increased xenophobia in some Western countries was a matter of grave concern. The situation of Muslim communities and immigrant workers in Europe, where their most fundamental human rights were being violated, merited serious consideration. The fallacious argument by some European countries that manifestations of racial and religious intolerance in their societies were the deeds of individuals or groups of individuals was a futile attempt to divert international criticism and pressure. Those countries should be called upon to prevent further discrimination and violence against foreigners living within their jurisdiction. The necessary measures should be taken to protect the fundamental rights of Muslim immigrants living in Europe and preserve their Islamic identity.

37. His delegation welcomed the invitation extended to the Special Rapporteur on contemporary forms of racism, and supported the submission of his report to the Third Committee. It also attached great importance to the work of the

Committee on the Elimination of Racial Discrimination and commended its contribution to the elimination of apartheid. That treaty-monitoring body should be further strengthened.

38. Mr. OTUYELU (Nigeria) said that, although apartheid had been eliminated in South Africa, other forms of racism had appeared in Bosnia and Herzegovina and in Rwanda. The international community should do more to combat new forms of racism, xenophobia and intolerance. Nigeria supported the Programme of Action for the Third Decade and was pleased to note the recognition given to the shared responsibility between States parties and non-governmental organizations, especially in preventive action through appropriate education.

39. His delegation also supported the establishment of the International Criminal Tribunal for the Former Yugoslavia. The same action was recommended for Rwanda. The international community must send a clear message that it cannot tolerate such behaviour.

40. Nigeria supported the proposal by the Secretary-General in document A/49/464 that the Member States concerned should adopt emergency measures to put an end to acts of racism and racial discrimination against migrant workers and refugees and should also give particular attention to the situation of women belonging to ethnic or racial minorities. It was disappointing, however, to note in document E/1994/97 that contributions to the Trust Fund for the Programme of Action for the Third Decade had remained below the levels hoped for. The Commission on Human Rights needed further financial support in order to carry out its mandate. Nigeria supported the decision by the Committee on the Elimination of Racial Discrimination relating to peace-building in Rwanda and joined other countries in condemning the terrorist activities carried out against Jewish organizations in Buenos Aires and London in July 1994.

41. The media and non-governmental organizations could play a significant role in efforts to combat racism. Preventive action through education could raise public awareness of the evils of that phenomenon. Consideration should be given to the training of teachers to inculcate in children respect for cultural differences and eliminate prejudices.

42. Strict legislation against racial discrimination and speedy prosecution of persons accused of racism were essential elements of anti-racist strategies. Education to facilitate social integration and promote respect for individual differences were effective in combating the root causes of racism. Lastly, his delegation expressed concern at the activities of mercenaries as reported by the Special Rapporteur on that question and hoped that Member States would cooperate with him to enable him to conclude his work and put forward appropriate recommendations.

43. Mr. MISHRA (India) expressed his delegation's pleasure at welcoming South Africa back into the United Nations community. The latter should not, however, rest on its laurels, since racial discrimination still existed in certain parts of the world.

44. The Committee on the Elimination of Racial Discrimination had recognized international terrorism as a matter of grave concern. India itself had been a victim of escalating terrorism and "ethnic cleansing", sponsored from abroad. Activities which gave rise to ethnic or racial tension were particularly grave when mandated or practised by Governments themselves, threatening civil society and sowing the seeds of conflict.

45. With the end of the colonial era, the United Nations had redeemed its pledge to enable peoples under alien and colonial domination to exercise their right to self-determination, and a beginning had even been made in the case of the Palestinian people. The right of self-determination in the post-colonial era was the right of peoples freely to determine their political, economic and social systems within their national boundaries; it should not be construed as authorizing any action which would dismember or impair the territorial integrity or political unity of sovereign States.

46. The euphoria at the end of the cold war had encouraged a multiplication of States, and multi-ethnic States had come under attack. In the interest of peace, security and economic well-being, any such tendency to fragmentation should be resisted. The concept of self-determination was no longer helpful in resolving the problems of multi-ethnic States. Tolerance and compromise, rather than separatism, would enable ethnic identities to be expressed within existing national entities. The principle of national self-determination no longer provided the sole justification for political organization, and destructive movements which had emerged in its name should be contained. The forces of extremism, terrorism and separatism threatened the unity of pluralistic States, whose territorial integrity must remain inviolable.

47. It was ingenious of the representative of Pakistan to have used the agenda items before the Committee for the purpose of injecting into the debate its obsession relating to India. Self-determination was a concept that Pakistan "flogged to death" in the context of Kashmir; however, the people of that region had exercised that right by participating in democratic elections over the years. Jammu and Kashmir was an integral part of India and would remain so for ever; it was contradictory for the representative of Pakistan to claim that it was part of his country while at the same time calling for self-determination. The Pakistani representative had inaccurately stated that Pakistan had come into existence through an act of self-determination. Supposedly, that State had been created for the Muslim population of the Indian sub-continent; however, it had originally had only 65 per cent of that population, and a majority of its population had later opted out of it to create another State. Pakistan should therefore eschew mindless advocacy of the doctrine of self-determination, which could be misused in the future by any group of persons having regional, linguistic or sectarian identity.

48. The Simla Agreement of 1972 had established that all outstanding differences between India and Pakistan should be settled through bilateral negotiations. Having violated and then disowned that agreement, Pakistan had no right to speak of obligations, either multilateral or bilateral.

49. The peace and prosperity of all States, whatever their size, composition, ethnicity, history or governance, could be achieved only by mutual tolerance, democracy and openness within a global civilization.

50. Mr. SOAL (South Africa) said his delegation was grateful for the many messages of goodwill it had received. The Committee's warm response to developments in South Africa had made his delegation feel truly welcome.

51. Mr. KAZHOYAN (Armenia), speaking in exercise of the right of reply, and referring to a statement made earlier in the meeting by the representative of Azerbaijan, said it was misleading to refer to the Nagorny Karabakh conflict as being between Armenia and Azerbaijan, or to Armenian "aggression" against Azerbaijan. The conflict was between the people of Nagorny Karabakh, who were striving for self-determination, and the Government of Azerbaijan. Armenia was not directly involved in the conflict and had no territorial claims against Azerbaijan. His Government recognized the principles of self-determination and of the territorial integrity of States; those two principles sometimes came into conflict.

52. The people of Nagorny Karabakh, having peacefully expressed their desire for self-determination, had been subjected to pogroms and deportations by the Azerbaijani authorities; that had strengthened their resolve, but had also brought about a refugee crisis in Armenia, 350,000 civilians having been forced to flee from Nagorny Karabakh. In addition, Azerbaijan had imposed a blockade on Armenia and Nagorny Karabakh, causing severe economic difficulties. That area's population had been forced to defend themselves in order to avoid mass deportation and genocide. The purpose of the occupation of an area of Azerbaijani territory by the Nagorny Karabakh defence forces had been to end the non-stop bombardments by Azerbaijani forces.

53. As an interested third party, Armenia had consistently advocated peaceful resolution of the conflict through a negotiated settlement, and had made a constructive contribution to the Conference on Security and Cooperation in Europe (CSCE) peace process. Both Armenia and Nagorny Karabakh had repeatedly expressed their readiness to comply with the relevant Security Council resolutions.

54. Mr. AKRAM (Pakistan), speaking in exercise of the right of reply, and referring to the statement by the representative of India, said that the concept of territorial integrity applied only to those States and parts of States which were legally constituted. That was not the case of Jammu and Kashmir. The relevant Security Council resolutions made it clear that the final disposition of Jammu and Kashmir would be made in accordance with the will of the people, expressed through a plebiscite. It was clear that the area in question was disputed territory; and it was India, not Pakistan, which had failed to implement the Security Council resolutions, preventing the holding of a free and fair plebiscite and failing to carry out the agreed demilitarization of the area.

55. The Committee should also note the threat contained in the remarks of the Indian representative, in which he referred to the loss of territory by Pakistan. That loss had resulted from a war of aggression conducted by India; but many countries which had supported India in that war had since disintegrated. India should accept that it could not impose its will on the Kashmiri people, and should agree to withdraw its army of occupation; only then could there be peace in the subcontinent.

56. Mr. NASSIROV (Azerbaijan), speaking in exercise of the right of reply, said that the Committee was not an appropriate forum for discussion of the Armenian-Azerbaijani conflict. The question of Nagorny Karabakh could not be considered separately from that of the other Azerbaijani territories occupied by Armenian forces. The conflict was under consideration in the United Nations Security Council and in the CSCE; the Armenian delegation should submit its arguments to those bodies.

57. Mr. MISHRA (India), speaking in exercise of the right of reply, said that whatever the occasion, Pakistan could be expected to take every opportunity to raise the worn-out question of Kashmir. Under the Simla Agreement, any discussion of that question should take place on a bilateral basis. India stood by its position regarding the question of the plebiscite. As the Prime Minister of Pakistan had recently stated, if such a plebiscite were held, the majority might not opt for Pakistan. He reiterated his delegation's position that Jammu and Kashmir were an integral part of India and would remain so in the future.

58. Mr. AKRAM (Pakistan), speaking in exercise of the right of reply, said that the Indian military establishment was engaged in genocide in Kashmir. The Pakistani position was that Kashmir was disputed territory, whereas India claimed that it was an integral part of its territory. That was for the Kashmiri people to determine, and he challenged the Indian Government to agree to a plebiscite if it was so sure that they would not choose Pakistan. The Pakistani Government would comply with the result.

59. Mr. MISHRA (India), speaking in exercise of the right of reply, recalled that in the Pakistani representative's statement at the previous meeting, he had said that, as a predominantly Muslim area, Kashmir should have been a part of Pakistan, in accordance with the principle of partition. By the admission of the leaders of Pakistan, it had been established that that country had started all three of the wars against India, and that it ran training camps on its territory for terrorist attacks on other countries, including India.

The meeting rose at 6.05 p.m.